

Decision Record

DOI-BLM-WY-R050-2016-0048-DNA

Wyoming Department of Environmental Quality Abandoned Mine Lands AML 17I

Determination of NEPA Adequacy

Introduction:

The Wyoming Department of Environmental Quality, Abandoned Mine Lands Division (WDEQ) applied for Surface Owner Consent to conduct reclamation of Abandoned Mine Lands (AML) on BLM managed lands. The proposed reclamation of seven sites which are located within several sections of land located in and about South Pass, in Fremont County, Wyoming. South Pass is a mountainous area located 20 miles south of Lander and about 80 miles north of Rock Springs, Wyoming. Proposed reclamation will include remediating hazards associated with abandoned mine shafts (such as the one pictured on the cover of this document, adits (tunnels), collapsing workings, prospect pits, and dilapidated buildings. For the most part, the closure actions will be limited to the specific hazardous features at these mines, and will affect only very limited footprints at these sites. This reclamation is to insure public, livestock and wildlife health and safety. The seven sites are located in the same vicinity as the eleven sites remediated by WDEQ pursuant to Environmental Assessment 2012-038 and are part of the same AML Project 17I. A copy of the 2012 EA is available in the Documents Tab on the left side of the ePlanning Project available at:

<https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=renderDefaultPlanOrProjectSite&projectId=63607&dctmId=0b0003e880bbb2d7>.

Decision:

It is my decision to grant the Surface Owner Consent. The project is on land administered by the Lander, Wyoming Field Office. Design features and timing limitations are included.

Rationale for Decision:

The decision to approve WDEQ's request is based on the following as set forth in the DNA Worksheet:

1. Consistency with resource management plan
2. National policy
3. Application of measures to avoid or minimize environmental impacts
4. Public and wildlife and safety.

Information Regarding a Stay:

If you wish to file a petition (request) pursuant to regulations 43 CFR 2801.10 or 2881.10 for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for stay must be submitted by each party named in this notice and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied
2. The likelihood of the appellant's success on the merits
3. The likelihood of immediate and irreparable harm if the stay is not granted
4. Whether the public interest favors granting the stay

Richard Vander Voet

Richard Vander Voet, Field Manager

7/15/16

Date